



Gerl D. Huser, Chair
Richard W. Lozier, Jr., Board Member
Joshua J. Byrnes, Board Member

September 13, 2021

Linda Tjaden, Chair
Floyd County Board of Supervisors
101 S. Main, Suite 304
Charles City, IA 50616

Via email: ltjaden@floydcoia.org

Re: Hazardous Liquid Pipelines, Docket No. HLP-2021-0001

Dear Chair Tjaden,

On August 4, 2021, the Iowa Utilities Board (IUB) received a request from Summit Carbon Solutions, LLC (Summit Carbon), to hold a series of public informational meetings for a proposed hazardous liquid pipeline to transport liquefied carbon dioxide. On August 12, 2021, the IUB issued a letter approving informational meeting dates. The date for the informational meeting in your county is Monday, September 20, 2021 at 6 p.m. This letter is providing information concerning what the Floyd County Board of Supervisors can expect as this process progresses.

Iowa Code chapter 479B governs hazardous liquid pipelines and hazardous underground storage. Iowa Code § 479B.2 defines hazardous liquid to include the transportation of liquefied carbon dioxide. The IUB has adopted administrative rules to implement the requirements of Iowa Code chapter 479B at 199 Iowa Administrative Code (IAC) chapter 13.

Pursuant to 199 IAC 13.3, Summit Carbon is required to submit an agricultural land restoration plan that complies with Iowa Code § 479B.20 and 199 IAC chapter 9. The county inspector for your county will review the agricultural land restoration plan and the plan will be reviewed by the IUB as part of the evidence in its evidentiary hearing. The board of supervisors may file comments or intervene in Docket No. HLP-2021-0001.

Under Iowa Code § 479B.20, the county board of supervisors is to appoint a county inspector to ensure compliance with the agricultural land restoration plan approved by the IUB. The county board of supervisors may use its county engineer so long as they meet the requirements of Iowa Code § 479B.20(2), or it may hire a county inspector who meets the same requirements. Summit Carbon will pay the reasonable cost of the county inspector.

The county inspector appointed by the county board of supervisors will ensure that the construction of the pipeline complies with the agricultural restoration plan and monitor each step of the construction process.

The IUB provides an instruction manual to assist county inspectors with information regarding enforcement and related construction issues during pipeline construction.

The county inspector will also inform the county board of supervisors when they determine pipeline construction is complete. It is ultimately the county board of supervisors who declare the pipeline construction has been completed. Not less than 90 days after the county board of supervisors determines the pipeline construction is complete, any landowner who has outstanding damage claims against the pipeline company may then petition the county board of supervisors to establish a compensation commission to determine damages under Iowa Code § 479B.30.

Thank you in advance for your cooperation during this process. If you have questions or need assistance, please email customer@iub.iowa.gov or call 515-725-7317 to speak with James Boyd, assigned IUB customer service representative.

Sincerely,

Geri Huser Date: 2021.09.14
11:53:41 -05'00'

Geri D. Huser, Chair, Iowa Utilities Board

Richard Lozier, Board Member

Josh Byrnes Date: 2021.09.13
15:18:57 -05'00'

Josh Byrnes, Board Member